



## Child Welfare – Measures to Combat Violation, Exploitation, & Abuse

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### ABSTRACT

Biologically, Child falls within the state of human development in between the stages of birth and puberty below the age of 14 years of age. Child is a gift of almighty which need to be nurtured, cared, respected, loved and protected. The children during their tender age require abundant care, love and affection from their parents, relatives and friends. Almost 40 percent approximately 440 million of Indian population comprises of children. Small children are the victims of erroneous offenses including Child Labour, Rape, Sexual Exploitation, Forced Marriage, Torture, Kidnapping, Negligence, Deprivation, etc. The violation of Child Rights in the name of tradition, religion, gender, class, caste, race and reputation causes physical or mental injury or even death of innocent children. Many children are frequently subjected to physical or sexual abuses at home, school, and society. Child Right falls within the ambit of Human Rights for food, basic needs, education, health care, identity and freedom of children. Child Protection shall be emphasized within the policy framework of both Central and State Government. Child Welfare is possible through the collective efforts of Police, social workers, health care professionals, local authorities, volunteers and general public. This paper describes about various problems faced by the children, child welfare schemes implemented in the multifaceted areas, statutory protection and various efforts to combat violence, discrimination, neglect, abuse and exploitation against children in India.

**Keywords:** Child, Child Right, Offences, Policy Framework, Child Welfare.

### 1. INTRODUCTION :

The Countries have adopted Convention on the Rights of Child, 1989 to provide safe and nurturing childhood to every child. UNICEF reports that half of the children living in the developing countries live poverty. International Community has fallen short in their commitment towards creating opportunity for learning, playing, good health & welfare of Children [1]. Children are exposed to the dangers of malnutrition, anemia, infant mortality, diseases, child labour and juvenile delinquency. The Public Child Protection Agencies ensures protection of children against abuse, neglect and

maltreatment through collaborative community efforts. Children live in interplay with parent, family and community within the context of their culture.

### 2. PROBLEMS FACED BY THE CHILDREN :

Children are highly vulnerable to the increasing array of threats to deny their dignity, right & voice. Society is trying to cope with the probable threats with material services to boost child development by reducing unjust practices against them [2]. National Centre for Children reports about critical problems which require immediate attention including increasing child

poverty since 2000, inefficiency of fulltime jobs for the low & moderate income families, lack of access to child care and mental health services, non availability of leave for health emergencies, lack of health insurance to children since 2005, need for early head start programme and preschool programmes for the children between 3-4 year from low income groups.

**(a) Poverty:** Among 689 million poor children living across the globe, 31 per cent lives in India, followed by Nigeria with 8 per cent, Ethiopia with 7 per cent and Pakistan with 6 per cent respectively [3]. It is difficult to identify or measure the poverty by using a uniform approach. Debate over poverty is carried globally to identify its differing causes and measurement. The child poverty shall be differentiated from general poverty based on its special dimensions. Any short term deprivation over Child Right will affect the growth and development of children. According to UNICEF, 'Child Poverty is an environment which damages the mental, physical, emotional & spiritual development of the children'. Any child living the poverty experiences the material, spiritual and emotional deprivations preventing their participation as equal members of the society [4]. The widely used monetary approach on poverty aims to reduce the sufferings of the people with increased per capita income [5]. It is essentially required to expand the traditional definition on poverty on the differing experiences. Emphasize shall be given to eliminate material deprivation from basic amenities, psychological development, preventing discrimination and exclusion, building self esteem and ensuring economic security.

**(b) Refugees:** Children residing in the war zones are severely exposed to the provocative environment to develop Psychopathic Personality Traits (PTSD–AACAP, 1998; Yule, 1999). Most of these children are the victims of Post Traumatic Stress Disorders (PTSD) causing psychiatric disorders especially depression. Even after their resettlement in their own country or in other countries it is difficult to separate the war trauma arising out of pre migration stress, separation, post migration

stress, social maladjustment, economic adversities, acculturation etc.

**(c) Illiteracy:** The children of socially disadvantaged children are highly vulnerable to illiteracy and poverty. Less Linguistic, Numeric and Cognitive Competency among these children is caused due to poor teaching pedagogy and infrastructural support. The learning experiences can be enhanced with only with their family cooperation and apathetic treatment of the teachers and school administration in this regard.

**(d) Neglect:** Manmade menaces either in the form of abuse or neglect put forth threat upon the life and overall development of the children. The practice of Early Child Maltreatment has increased number of Delinquency. Non accidental injuries are caused against children [6]. A study on 289 neglected infants admitted to Victorian Child Welfare Authorities for care reports about significant exposure of children to the developmental delays [7]. Childhood maltreatment causes serious threat upon the public health which requires immediate referred to Child Protective Agencies [8]. The childhood maltreatment results in the social, emotional, behavioural, cognitive adaptation and psychopathological outcome of later childhood and adulthood. As child physical abuse causes problem regarding the public health which requires immediate care but it is difficult within a short span. Parenting programmes can be a mechanism to save child from the physically abusive or negligent parents. It is reported in a study conducted at United Kingdom that 6 per cent of the individuals aged between 18-33 years are subjected to neglect and 7 per cent subjected to serious physical abuse by the parents or care takers. Child maltreatment highly influences the psychological state of mind of the child over and above the other social factors contributing to develop psychopathic behavioural traits.

**(e) Child Labour:** United Nations System of National Accounts defines child labour as producing economic goods & services by using children below the age of 18 years [9]. International Labour Organisation (ILO) defines child labour as the work which deprives children from childhood & dignity affecting their

physical and mental development. Many children help their parents in the household or family agricultural tasks contributing to the economic productivity of the family. It was practiced in the contemporary world and considered to be socially inefficient due to its adverse effects. The burden imposed on the tender age will certainly affect the earning capacity of children during their adulthood. Child labour was even considered to be a source of income for those children who are either deserted, living poverty or victims of riots and natural calamities. Parents should internalize about the aspects of age, work and ability of children before pushing them to such menace. Poor economies consider child labour to be a subject matter of public health [10]. Children are put to work on the streets of large cities in the developing countries keeping away from the reach of their parents or guardians. The worst forms of child labour is carried by engaging children in armed conflicts, drug trafficking, slavery and sex work etc. Globally one among every 7 children is exposed to child labour with an estimating of 215 million children falling under it. In the long run, child labour affects the income of the family and their descendants by reinforcing low education and high fertility to reduce the accumulation of human capital hindering the growth and social development [11].

**(f) Trafficking & Sexual Exploitation:** Prostitution basically refers to an act of sexual intercourse for the exchange of money. The traces of prostitution can be found from the ages of Indian civilization. Human trafficking involving flesh trade has become a serious threat on the social welfare of our country. The cultural doctrines placing women under the deprived class stood behind the spread of prostitution in India. The urban culture refers to trends and customs passing through the generations among the people living in the cities and towns. Urbanism has facilitated for the growth of Prostitution along the time. Urban areas being the place for the migrants encourage street prostitution and brothels. Sexual harassment of the destitute girls living in the street by the police and inconsiderate government officials

also contributed towards increasing prostitution. The cities including Mumbai, Kolkata, Pune, Banaras, New Delhi and Nagpur are exposed to the evils of prostitution. The poverty is the core factor to promote prostitution in the urban areas. The economically geographical neighbour countries including Pakistan, Bangladesh, Nepal and Bhutan are migrating huge volume of migrants into India. Internal Trafficking can be found in the rural areas where women and children are pushed into prostitution either in the name of job or forcibly after kidnapping them. The commercial sex workers have confessed about rude reality of the family members in compelling to join prostitution to be a means for facing economic deprivation. It is estimated about 4 lakh children are trapped under the cage of prostitution. Major cities including Kolkata, Mumbai, Bangaluru, Pune has become the hub for child prostitution. Child prostitution in the cities is boosted by the urge of attracting men towards virgin girls over older women in the name of sponsoring sex free from sexually transmitted diseases. Majority of the commercial sex workers prefer to bring their daughter's into sex work as prostitution since they are not aware of any other profession for their livelihood. Huge numbers of Children are injected into the brothel homes of Mumbai every year. Child Prostitution has been to be a menace over the Indian society causing worst forms of child abuse and exploitation. The prostitution has become an integral part of the society even after the practice is rejected by most of the social segments. Trading the children for the purpose of sexual exploitation violates human rights. The rate of trafficking is increasing among the Common Wealth countries. Children exposed to physical, sexual and emotional abuses, neglect, violence and torture will face increased traumatic risks relating to behaviour in relation to attachment, biological integrity, emotional control, adaptations, cognitive functioning and self control [12]. The proliferation of Child Trafficking needs to be checked with top priority considering the implications of its complexity, multi-dimensional approach and expansion.

**(g) Child Bullying:** Words equally cause harm as like sticks and stones hence any episode with

an intention to hurt or intimidate others is called as bullying. Childhood bullying causes depression, juvenile delinquency, school dropout, feelings of shame, isolation and rejection. The hate speech will break the heart and creates scar in the soul. Bullying if carried at schools will convert the learning place into a terrific place of fear. In most of the cases children hide the instances of bullying from their parents and teachers. The victims of bullying and rejected by their friends suffer from the problems of depression and anxiety. Contemporary Research reports about the intensity of the adverse effects of bullying and peer group stress upon the emotional adjustment, linguistic learning, problem solving abilities etc. Gender differentiation can be noticed in the bullying behaviour to find physical bullying among males whereas, psychological and indirect forms of bullying among the females. Girls experiences peers spreading rumors to destroy social relationship. Age differentiation can also be observed in the bullying behaviour to find bullying about sexuality of younger males and sexual attitudes, sexual behaviour and sexual maturity of younger females.

**(h) Sexual Abuse:** The children who are the victims of sexual offences, molestation, sexual abuse and rape are further subjected to mental harassment through the media exposure projecting the victim. Abuse against child is usually committed by the people of trust most probably by the family members or relatives rather than the strangers. The degree of betrayal depends on the feelings of the child towards the offender. For instance, if the child is suspicious about the behavioural conduct of any person since its childhood it may feel less betrayed than the instances of sudden experience of abuse by any person who is very close to the child. The children not believed or blamed on reporting of the abuses to the family members shall experience greater sense of betrayal. The acts of abuse are committed by adults having unhealthy sexual fantasies with minors. Meta Analysis found that, child sexual abuse prevalence globally in about 18-20 per cent against girls and only 8 per cent against boys [13]. The child sexual abuse syndrome depends on the aspects

of secrecy, helplessness, accommodation, delayed, conflicted and unconvincing disclosure and retraction [14]. Child abuse causes long term medical and psychological problems like depression, eating disorders, post traumatic stress disorders, chronic pain syndrome, chronic fatigue syndrome and irritable bowel syndrome [15]

**(i) Child Marriage:** The global community has recognized child marriage as a menace against human rights hindering the health and wellbeing of the nation. The Government through its policies and programmes started showing its commitment to provide resources and action to prevent this social problem. There is a need to find an ideal solution to address child marriage system as in spite of huge investment in the preventive programmes during the last decade, the cases of child marriages are less reported or documented. United Nations Convention on the Rights defines child marriage as the marriage under the age of eighteen years.

**(j) Child Pornography:** The word Pornography is derived from the two greek words 'Porne' & 'Graphein' which means literature dealing with sexual themes. The countries recognize the obscenity & pornography in varied dimensions. The adolescents explore more on the information highway making internet and computer integral parts of their lives. The interest of the children over the sexual explicit materials & less parental control over internet usage may expose the children to the dangers of internet. Some people exploit the tender age of the children to commit sexual offences online. The children are not guided by the parents on the dangers of cyber crimes. The federal law of the United States defines pornography as a visual depiction of sexual explicit act of a minor. The production and distribution of child pornography started exploding along the emergence of high definition cameras, software and multimedia technologies. The western countries started projecting child pornographers between 10 to 65 years working officially into the child pornography. The internet has widened the market for the child pornographic materials. According to Kimberly Young, psychologist & Alvin Cooper, Psychologist online sexual



behaviour is a form of psychopathology with the symptoms of neurotic & compulsive behaviour leading to addiction. It causes unhealthy relationship where an adult will abuse a minor for the self pleasure. The Survey reported that, 50 per cent of Americans are using internet for exploiting the children, 10 per cent each for credit card thefts and organized terrorism respectively [16].

**(k) Female Infanticide:** It is an act of killing female infants soon after the birth but different from neglect or sex selective abortions. The factors including low status of women, decreasing fertility, intensifying son syndrome, dowry system, marginalization of women in agriculture etc. contributes for the growth of female infanticide [17]. The advancement in the medical science facilitated determination of sex of the foetus. Amartya Sen quoted about anguish

caused by the unwanted pregnancy can be eliminated in accordance with the Medical Termination of Pregnancy Act, 1971 but which is abused for terminating female foetus violating the right to life.

**(l) Crime against Children:** Crimes against Children committed under Indian Penal Code, Special Act and Local Laws was recorded to be 89,423 (2014), 94,172 (2015) and 1,06,958 (2016) respectively along with the percentage variation of 5.3 (2014-15) to 13.6 (2015-16) [18]. Crimes against children under Indian Penal Code in 2016 (Table-01), Crime against children under Special Acts & Local Laws in 2016 (Table-02), Cumulative crime data against children during 2016 (Table 03), data on Arrest, charge sheeted, convicted, acquitted and discharged under crime against children (Table-04)

**Table-01: IPC Crimes against children- 2016**

Sl. No	Crimes	Cases Reported	No of Victims in Registered Cases
01	Murder (Sec. 302)	1,640	1,775
02	Abetment of Suicide of Child (Sec. 305)	41	41
03	Attempt to Commit Murder (Sec. 307)	213	224
04	Infanticide (Sec. 315)	93	93
05	Foeticide (Sec. 316)	144	144
06	Exposure and Abandonment (Sec. 317)	811	815
07	Kidnapping & Abduction (Sec. 363)	27,534	28,736
08	Kidnapping & Abduction for Murder (Sec. 364)	222	225
09	Kidnapping for Ransom (Sec. 364 A)	166	168
10	Kidnapping & Abduction of girls to compel her marriage etc. (Sec 366)	16,636	16,695
11	Procuration of Minor Girls (Sec. 366-A)	2,465	2,488
12	Importation of Girls from Foreign Country (Sec. 366-B)	5	7
13	Other (Sec. 363A, 365, 367, 368 & 369)	7,695	7,981
14	Human Trafficking (Sec. 370 & 370 A)	340	763
15	Selling of Minors for Prostitution (Sec. 372)	122	135
16	Buying of Minor for Prostitution (Sec. 373)	7	7
17	Unnatural Offences (Sec. 377)	1,247	1,254
	<b>Total Crimes</b>	<b>59,381</b>	<b>61,551</b>

**Source:** Crime in India, 2016, Statistics, National Crime Records Bureau, Ministry of Home Affairs, Government of India, October, 2017.

**Table-02: Crime under Special Acts & Local Laws against Children- 2016**

Sl. No	Crimes	Cases Reported	No of Victims in Registered Cases
02	Child Rape (Sec. 4 & 6 of POCSO Act/Sec. 376 of I.P.C.	19,765	19,920
03	Sexual Assault of Children (Sec 8 & 10 of POCSO Act/ Sec. 354 of I.P.C.	12,226	12,329
04	Sexual Harassment (Sec. 12 of POCSO Act)/ Sec. 509 of I.P.C.	934	941
05	Use of Child for Pornography/Storing Child Pornography Materials (Sec. 14 & 15)	47	48
06	Under other Sections of POCSO Act.	3050	3083
07	Juvenile Justice (Care and Protection of Children) Act, 2000.	2253	3317
08	Immoral Traffic (Prevention) Act, 1956	56	69
09	Child Labour (Prohibition & Regulation) Act, 1986	204	384
10	Prohibition of Child Marriage Act, 2006	326	327
	<b>Total Crimes against Children</b>	<b>38,861</b>	<b>40,418</b>

*Source: Crime in India, 2016, Statistics, National Crime Records Bureau, Ministry of Home Affairs, Government of India, October, 2017.*

**Table 03 : Crime against Children during 2016**

Sl. No	Crimes	Cases Reported	No of Victims in Registered Cases
01	Total Crimes under Indian Penal Code	59,381	61,551
02	Total Crimes under Special Acts & Local Laws	38,861	40,418
03	Total Other Crimes under Indian Penal Code and Special Acts & Local Laws	8,716	9,262
	<b>Total of IPC &amp; SLL Crimes</b>	<b>1,06,958</b>	<b>1,11,231</b>

*Source: Crime in India, 2016, Statistics, National Crime Records Bureau, Ministry of Home Affairs, Government of India, October, 2017.*

**Table 4: Details on the Arrest & Judgment on Crimes against Children- 2016**

Sl. No	Crime	Arrested	Charge sheeted	Convicted	Acquitted	Discharged
01	Murder	2,446	2,285	432	497	12
02	Abetment of Suicide	46	37	02	20	00
03	Attempt to Murder	356	405	58	415	20
04	Infanticide	117	77	05	12	04
05	Foeticide	141	90	04	27	00
06	Exposure & Abandonment	189	120	04	43	02
07	Kidnapping &	39,090	27,197	2,213	6,372	106

	Abduction					
08	Human Trafficking	525	444	04	45	00
09	Selling of Minors for Prostitution	138	114	00	11	00
10	Buying of Minors for Prostitution	21	25	07	00	00
11	Unnatural Offences	1386	1,217	131	169	13
12	Protection of Children from Sexual Offences Act	42,196	37,872	3,859	9,111	77
13	Juvenile Justice (Care and Protection of Children) Act, 2000	2,373	2,091	3,10	194	10
14	Immoral Traffic (Prevention) Act, 1956	138	119	01	25	00
15	Child Labour (Prohibition & Regulation) Act, 1986	239	168	08	19	00
16	Prohibition of Child Marriage Act, 2006	740	644	35	115	08
17	Other Crimes under IPC & Special and Local Laws	11,218	10,109	2,045	3,546	65
<b>Total Crimes</b>		<b>1,01,360</b>	<b>83,015</b>	<b>9,118</b>	<b>20,621</b>	<b>317</b>

*Source: Crime in India, 2016, Statistics, National Crime Records Bureau, Ministry of Home Affairs, Government of India, October, 2017.*

### 3. CHILD WELFARE PROGRAMMES :

India accommodates largest number of children in the world requires efficient Child Welfare Programmes. Child Welfare Services are the subsidiary of National Social Assistance Schemes. The success of such programme depends on the effectiveness of the national policies on education, housing, employment, health, nutrition etc. The child welfare services shall be provided in context with the social, economic, cultural and political environments. The history of child welfare goes back to 1874 when some missionary schools in Lucknow and Poona started care of pre-school children. In 1920s, voluntary organizations such as 'The Children's Aid Society' & 'Balkan Ji Bari' started serving the children belonging to poor, illiterate and helpless families. Along the efforts of the leaders including Raja Ram Mohan Roy, Gandhiji child welfare was considered with

priority by the British government. Later the protection for the rights of the child has become an International endeavour by crossing the national boundaries. International bodies like United Nations Organization and International Labour Organization strived together towards enactment of international laws on child welfare. India enumerated child welfare through its Constitution, International Treaties, Conventions and Recommendations. The Central and State government has launched several Child Welfare Services.

**(a) Integrated Child Development Service Scheme (ICDS):** The scheme by the Ministry of Women & Child Development (MWCD) to secure the health of pregnant, lactating women and children below 6 years of age. It is the World's largest integrated early childhood programme with more than 40,000 centers across the country. It is a multi-sector scheme on health, nutrition and education through



Anganwadi Centres (AWCs) at village level. It provides integrated package of supplementary nutrition to Mother and Child, immunization, medical check-ups, recommendation services, pre-school non-formal education, nutrition, & health awareness. Central Government shall support 90% of all non supplementary expenses. Based on the size of the population Anganwadies are constituted in the village levels. This scheme outlines the required amount of calories to bridge gap between nationally recommended calorie and average intake among low income groups through supplementary feeding. Child between 6-72 months shall be provided with food containing 500 calories with 12-15 grams of protein at Rs. 4 and a child severely malnourished on medical advice after health check-up shall be provided with 800 calories of food with 20-25 grams of protein at the cost of Rs. 6 per child/ per day. Under Wheat Based Nutrition Programme (WBNP) supplementary nutrition is provided through distributing food grains to the beneficiaries. Immunization Programmes are framed to protect children from diseases including Poliomyelitis, diphtheria, pertussis, tetanus, tuberculosis and measles. The State shall register the beneficiaries belonging to Poverty Line. The Government of India has sanctioned 792 additional Projects, 213286 Anganwadi Centres and 77102 Mini Anganwadi Centres to benefit the SC/ST and Minority population of rural areas. The eleventh Five Year Plan has set aside Rs.51,400 Crores for ICDS which includes Rs.9000 Crores for Conditional Maternity Benefit Scheme. Cooperative for Assistance and Relief Everywhere (CARE), UNICEF and World Food Programme (WFP) provides financial and technical assistance to this scheme [19]. The programme covers over 5 million expectant and nursing mothers and over 23 million children who are below six years of age. The programme provides preschool education, supplementary nutrition for children, pregnant and nursing mothers, growth monitoring, immunization and vitamin A Supplementation etc.

**(b) Integrated Child Protection Scheme (ICPS):** The child programme aims to protect

rights and interest of the children. It provides institutionalized services for the children through emergency outreach programmes, community care, home care, counselling and support. It creates public awareness about child rights and tries to sensitize various functionaries to put forth integrated and coordinated efforts. It put forth both preventive and curative mechanisms against exploitation, harassment, discrimination and health hazards of the children. Collaborative efforts are sought from both Government and Civil Society to develop healthy environment encouraging the lives of the children. Government of India constituted Child Line India Foundation working as the nodal agency for all the operations at national level. National Institute of Public Cooperation and Child Development (NIPCCD) engage in training and research activities. An autonomous body Central Adoption Resource Authority (CARA) constituted under the Ministry of Women and Child Development shall work as the advisory body for both internal and external adoptions. The State Child Protection Society (SCPS) functioning under the Secretary of Child Welfare/Development shall implement various child schemes in the States and Union Territories. State Adoption Resource Agency (SARA) coordinates and monitors adoption in the State in association with CARA. District Child Protection Society (DCPS) headed by District Magistrate or Chairman of Zilla Parishad is constituted for implementing Child Protection Services in the district. Sponsorship & Foster Care Approval Committee under District Child Protection officer is constituted to provide financial support of Rs. 2000 per child to those destitute families with income limit not exceeding Rs. 36,000 per annum (Metro Areas), Rs. 30,000 (Other Cities) and Rs. 24,000 (Rural Areas) respectively. Foster care is an arrangement to allow child to live with an extended or unrelated family members along with Rs. 2000 per month per child. It provides protection to the children who are not legally free for adoption or whose parents are unable to take care of them. Block Child Protection committee having elected representative & Block Development Officer and Village Child

Protection Committee having President of Gram Panchayat is constituted to implement child protection services. In compliance to the Juvenile Justice Act, State Government has established Child Welfare Committee and Juvenile Justice Board at district level in compliance with the Juvenile Justice Act (Care and Protection of Children), 2015. The Child Welfare Committee shall consist of one chairman and other members of whom, at least one shall be a woman vested with the powers of metropolitan magistrate. Any problems of children can be brought before the committee through Police officer, public servant, officials of child line, social worker or the victim child. The committee shall at the best interest of the child find secure place for such children through its parents, adoptive parents, and foster care institutions. Juvenile Justice Board consisting of Metropolitan Magistrate and two social workers of whom one shall be woman is constituted under ICPS to conduct enquiries on the crimes committed by children. The board shall conduct enquiries on the alleged crimes committed by the children and decides the best course of action for the rehabilitation of such children. Emergency Outreach Service is provided for the children in need of care and protection through the Child Line operating approximately in 291 cities across country with its toll free number 1098. Child Line is provided with central assistance address medical needs, protection from abuse, emotional support and rehabilitation. State Government provides assistance to voluntary organizations to start Open Shelters in the urban areas to provide space and engage children in productive activities along with health care and education. Children free for adoption must be recorded with State/Central Adoption Resource Authority and authorized by the Child Welfare Committee established under Juvenile Justice Act so as to regulate and promote ethical adoption process. Interstate coordination is sought to meet the prospective parents with the available children. State Child Protection Society shall provide financial support to those who have left the institution after attaining 18 years to facilitate them to have independent life. The State Child Protection Society with its

general grant in aid fund of Rs. 15,00,000 supports innovative and need based intervention programs benefitting the children of sex workers, children of prisoners, children in need of rehabilitation post disaster.

**(c) Mid Day Meal Scheme:** A National programme in association with Panchayat, Education Committee, School Management Committee, Parent Teacher Association at village level to provide nutritional support to children studying in class 1<sup>st</sup> to 5<sup>th</sup> standard in the government and aided schools. Since 1995, the scheme aims to improve enrollment, retention, attendance ratio of children. Nutritional support was extended to drought ridden areas during summer vacation reaching almost 12 Crore children. It estimates to provide meal with minimum of 300 and 8-12 grams of protein to children studying first to fifth standard. The scheme was revised in 2007, even to cover children studying 6<sup>th</sup> & 7<sup>th</sup> classes for mid day meals with 700 calories and 20 grams of protein. The Central government supplies free food grains at the rate of 100 grams per child per school day from the nearest Food Corporation of India go-down along with the transportation cost. The scheme promotes child participation, reducing hunger, health, good eating habits, social and gender equity. During 2017-18 around 9.46 crore children benefitted from 11.34 lakh schools, 8.24 lakh kitchen cum stores have been constructed and 25.06 lakh cook cum helpers belonging to scheduled castes, tribes and backward classes are also engaged [20].

**(d) Sarva Shiksha Abhiyan (SSA):** The scheme aims for the Universalisation of elementary education by providing education to all the children between 6 to 14 years of age through community owned primary education system. It involves Panchayat Raj Institutions, School Management Committees, Education Committees in the Village or Slum level, Parent-Teacher Associations, Mother-Teacher Associations, Tribal Councils and other Local bodies participating in the administration of elementary schools. It is an effort to promote social justice by providing equal opportunity for the children for quality education to develop their knowledge and skills. It encourage

integrated efforts of Central, State and Local Governments. Community participation is sought to eliminate social, regional and gender disparity in the education system. The scheme adopted the strategies on reformation of educational delivery, sustainable financing, decentralization of primary education, mainstreaming educational administration, emphasizing education of girls, scheduled castes, scheduled tribes, marginalized minorities, creation of district level plans and private public partnerships.

**(e) Operation Blackboard:** It is a centrally sponsored programme started in 1987 based on the National Policy on Education 1986 to supply minimum crucial facilities to all primary schools in the country. The scheme aims to provide institutional equipments & instructional materials to primary schools. The provision for providing salary for an additional teacher in the primary schools with more than 100 enrolled students for consecutive two years. During the Ninth five year plan, the scheme was extended to upper primary schools also. Additional programs for training the teachers in effective usage of instructional materials are also included under the scheme. The state government shall provide financial assistance for the replacement of either broken or non functional instructional materials. Special emphasize was given to provide flexibility in choosing teaching aids as per the local demand. Recruitment of teachers was done with fifty percent reservation to women to increase the girl enrolment ratio in schools.

**(f) Integrated Programme for Street Children:** It is a programme to help children living on the street to fulfill their rights by providing shelter, nutrition, health care, education, art, recreation etc. The Scheme creates awareness about the rights of children enshrined in the UN Convention on the Rights of the Child (CRC) & Juvenile Justice (Care and Protection of Children) Act, 2000. The program aims to protect children living vulnerably without home and families ties facing abuse and exploitation covering children of commercial sex workers and pavement dwellers. The scheme uses integrated societal approach but excludes

children either living with families or living in the slum areas. The State Government, Union Territory Administration, Local Bodies, Educational Institutions and Voluntary Organisations are eligible to seek financial assistance under the scheme. The 90 per cent cost of the project is born by the Government of India leaving the burden of only 10 per cent cost to the concerned institutions implementing the scheme. The projects under this integrated project shall receive funding up to Rs. 1.5 Million per annum for the programmes of City Survey, Documentation of city level action plan, contact programmes on counselling, guidance and referral services, establishment of 24 hours drop in shelters, non formal education, reintegration of children with families, placement of destitute with foster care, hostels and residential schools, enrolment in schools, vocational training, occupational placement, preventive health services, reduce the incidence of drug, substance abuse and communicable diseases, anganwadi programmes, capacity building, advocacy, child rights protection. The integrated Programme for Street children is now under the umbrella of ICPS Programme.

**(g) Kishori Shakti Yojana (KSY):** Programme to look into the developmental aspects of adolescent girls in terms of nutrition, health and status. The scheme aims to provide health education, hygiene, nutrition, family care, life skills, vocational training and social awareness to become a prolific member of the society. By utilizing the available infrastructure under ICDS, the scheme offers to provide informal education on physical, developmental and sexual aspects of life. The girls are provided with health supplements including IFA and de worming tablets through the anganwadies.

**(h) Nutritional Programme for Adolescent Girls (NPAG):** Programme launched in 2002-03 to address nutritional needs of under nourished adolescent girls, pregnant women and lactating mothers between the age of 11-19 years who are less than 35 kgs by providing 6 kgs of food grains. Initially, it was started as a pilot project for 51 backward districts in the country but during 2005-06 it was considered to be the implemented directly by the Ministry of Women

and Child Development. Central Government shall provide the complete financial grants for the scheme. The food is provided through the public distribution system to the beneficiaries identified under the scheme.

**(i) National Creche Scheme:** Strategies adopted for empowering marginalized sections of the society has created employment opportunities for women. Workload is a significant stressor which interferes in the course of child protection for working women [21]. Day Care Centers meets the needs of both working women and young children. The scheme provides crèche with minimum 6-8 sq feet per child space with good ventilation along with a play area, toilet facility, sleeping equipments and instructional material for preschool. Cooking areas are separated from children play area to provide nutritional food based on the age. The Creche is linked to local health centres and anganwadis to meet the health needs of the children. Creche services are carried by the NGOs provided with necessary grants. The scheme is implemented in the State through Central Social Welfare Board, Indian Council for Child Welfare & The Bhartiya Adim Jati Sevak Sangh. The workers of the Creche are provided with the necessary training in childcare, first aid, cardio pulmonary Resuscitation, emergency, hygiene, pre schooling, nutrition, psycho social care etc.

**(j) National Plan of Action to combat Trafficking & Commercial Sexual Exploitation of Women and Children 1998:** The Ministry of Women and Child Development (MWCD) constituted Central Advisory Board (CAB) to seek advices for mainstreaming and reintegrating the victims of trafficking. It maintains Short Stay Homes, Swadhar Homes for destitute women and children. Protocol on pre rescue, rescue and post rescue operations are published. The ministry in collaboration with NIPCCD Three manuals including Judicial Handbook on combating Trafficking of Women and Children for Commercial Sexual Exploitation, manual for medical officers for dealing with child victims of trafficking and commercial sexual exploitation and counselling services for child survivors of trafficking was developed by the ministry in association with

NIPCCD and UNICEF. Nodel Cell constituted by the Ministry of Home Affairs shall conduct research to prevent Trafficking. It developed special module to counsel the victims of trafficking. The scope of Immoral Traffic (Prevention) Act, 1956 is widened to protect the human right of the victims. Stakeholders are trained to handle any suspicious situations so as to respond appropriately. It created special task forces to combat cross border trafficking. The ministry aims to tackle trafficking of girls by addressing poverty, illiteracy, vocational skills and employment opportunities.

**(k) Central Adoption Resource Agency (CARA):** A scheme presently included under the Integrated Child Protection Scheme aims to provide every orphan, destitute and surrendered child with a loving and caring family. The Ministry of Social Justice and Empowerment vested the responsibility of upholding the provisions of Hague Convention on Protection of Child and Cooperation in inter Country Adoption, 1993. It became an autonomous body since 1999 by registering as a society under the Societies Registration Act, 1860 even though it is registered in 1990. The CARA was transferred to the Ministry of Women and Child Development in the light of the Juvenile Justice Act, 2000 through its amendment made in 2006. Adoption is also carried by other agencies such as Recognized Indian Placement Agencies (RIPAs), Enlisted Foreign Adoption Agencies, Adoption Coordinating Agencies (ACAs), Licensed Adoption Placement Agencies (LAPAs), Indian Federation of Adoptive Families Associations (IFAFA) etc. The in country adoption is conducted through a process, firstly prospective adoptive parents should register with local RIPA/LAPA or Adoption Coordinative Agency or State Adoption Cell. Social Workers of the agency shall prepare a home study report of such parents along with providing pre adoptive counselling either to eliminate the fear of adoptive parents or assessing their ability to parent a child not born to them. Agency will make suitable reference from amongst the admitted children who are legally free for adoption or in cases of non suitability of child, such family will be referred



to the ACA. After the approval of the home study report a child will be shown to the parents as suitable to the descriptions in any desired by the parents. The placement of older children above the age of 6 both written and verbal consent of the child will be obtained. After the successful matching, the agency will file a petition in the Court/ Juvenile Justice Board for obtaining necessary orders which normally will complete within 6-8 weeks.

**(l) Scheme of Assistance to Homes:** The scheme covered under integrated child protection scheme to regulate in-country adoption by providing institutional care for the orphans, destitute and surrendered children prior to their adoption. The Central Government provides 90 per cent of the funding with a maximum limit of Rs. 6,00,000 per financial year to the NGOs and Voluntary Organizations to run 'Shishu Greh' and remaining need to be borne by the concerned organizations. Homes for destitute infants to accommodate maximum 10 abandoned or surrendered children between 0-6 years of age can be constituted to find adoptive families. Homes run by the other sources can also seek for separate grants for the purchase of medicines, utensils, books, cradles, mattresses, learning materials, toys etc.

**(m) CHILDLINE Services:** The Government of India on its commitment to the United Nations Convention of Child Rights recognized CHILDLINE India Foundation as the Nodal agency of the Ministry of Women and Child Development for establishing, managing and monitoring CHILD LINE 1098 across all the districts in the country. Even though, in 1996 it is introduced as an experimental project but subsequently it has been expanded to 372 cities serving over 4 million children by 2015. Subsequently, Childline was included within the framework of Integrated Child Protection Scheme Program to expand its services over more than 600 districts by the end of 12<sup>th</sup> five year plan. The Help Line provides 24 hours toll free phone outreach services to the children to provide long term care and rehabilitation by meeting emergency situations. Childline reaches every distress child living in the undue conditions such as living in the streets, working

as labourers, victims of abuse or flesh trade, those who are differently abled, addicts, mentally challenged, inflicted with HIV/AIDS or any child in need of any help. The helpline provides medical assistance, shelter, repatriation, protection against abuse, emotional support and guidance, information and referral services etc. It intervenes in cases of sickness, death, abuse, runaways, child labour to support marginalized children and links the children with long term services.

#### **4. STATUTORY PROTECTION :**

The Constitution of India ensures the welfare of the children in India. The most significant international instrument The United Nations Convention on the Rights of the Child emphasizes the development of conducive environment for the healthy growth and development of children. The Convention vests obligations upon the state to ensure fair and equal protection on survival, development, protection and participation of children. Immediate attention shall be provided to the immediate rights both civil and political to deal with discrimination, punishment, criminal cases, juvenile justice, life, nationality, reunification with family etc. The states shall also ensure Progressive Rights in economic, social and cultural aspects covering both health and education of the children. Legal protection is essential when there is a need for any sanction in the interest of health and welfare of the children. India places life of Hindu children within the family under Hindu Adoption and Maintenance Act, 1956, Guardians and Wards Act, 1890 and Juvenile Justice Act, 2000. The Children Act, 1960 ensures care, protection, maintenance, training and welfare of children besides the existing substantial laws framed by the States. It provides protection, treatment & rehabilitation of the vulnerable children those who are neglected, destitute, victims, delinquents, exploited, unhealthy, illiterate, addicted etc. Personal laws govern matters related to the child in connection with marriage, guardianship, adoption and maintenance. The legislations such as Child Marriage Restraint Act, 1929 & The Prohibition of Child Marriage Act, 2006 abolish



the practice of Child Marriage. The statutes including The Indian Christian Marriage Act, 1872 & Hindu Marriage Act has prescribed 21 years for boys and 18 years for girls as the minimum age for marriage prescribing punishments for its violation. The Indian Evidence Act, 1872 describe the legitimacy of a child based on its birth within marital relationship or within 280 days after the dissolution without remarriage unless the parties prove their non access to each other. The Parliament enacted the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 to comprehensively deal with the evil practice. No Genetic Counselling or Genetic Laboratory or Genetic clinic shall conduct pre-natal diagnostic techniques including ultrasonography, for determining the sex of a foetus (Sect. 6). No person conducting pre-natal diagnostic procedures shall communicate to the pregnant or her relatives the sex of the foetus by words, signs or in any other manner (Sect. 5(2)). The act provides for supervision of Genetic Counseling Centers, laboratories or clinics through registration, Central Supervisory Board and prohibition of pre-natal diagnostic techniques except for treating genetic abnormalities. In 2003 the Supreme Court issued directions to state to ensure strict compliance with the Act to control the decline in the ratio of female children and suggested to have a foolproof legal network and supervision for prevention of female foeticide. Section 67B of Information Technology Amendment Act 2008 provide punishment for publishing or transmitting material in any electronic form depicting children with sexually explicit act, creating textual or digital images, collects, seeks, browses, downloads, advertises, promotes, exchanges or distributes material in electronic form depicting children in obscene or indecent or sexually explicit manner or cultivates, entices or induces children to online relationship for sexually explicit act, abusing children online or with imprisonment for a term extending to five years and with fine of ten lakh rupees and for subsequent conviction with imprisonment of either description for a term of seven years and also with fine extending to ten

lakh rupees. Section 3 & 4 of The Indecent Representation of Woman Act, 1989 prohibits pornography and obscenity and indecent representation of woman through advertisement or in publication, writing, paintings, and figure or in any other manner. Every website on internet constitutes the indecent representation of woman would fall in the ambit of these sections.

### **5. CONCLUSION :**

Child rights are recognized globally through the United Nations Convention on the Rights of the Child (UNCRC) 1989. Efforts taken by the International Labour Organisation through International Programme on the Elimination of Child Labour 2001, United Nations Office of Drugs and Crime (UNODC) 2006, International Organization for Migration (IOM) 2007, United Nations Population Fund (UNFPA), 2000, Child Rights International Network 2005 are note worthy in preventing commercial sexual exploitation of children globally [22]. Stockholm promoted major actions against child pornography at national, regional and international levels. The global conference held at Vienna in 1999 agreed for fighting against online child pornography. It is required for the adults in their capacity as parents, professionals and politicians to encourage children to contribute their views on relevant matters by providing appropriate information based on the age to derive good views [23]. 'Hotlines' and 'Tiplines' are mechanisms allowing the people to report for investigating any illegal material available on the internet and removal of such material through the court order. Collective efforts shall be initiated by the Government, Service agencies and public at large to prevent child mortality, disability, morbidity and malnutrition. Pre and post birth care shall be intensified to improve the level of nutrition among the pregnant women in the country. All the pregnant women shall be educated about the uses of breast feeding for the first six months so as to improve the immunity of the infants. The health department and community interventions shall be encouraged to improve the vaccination in rural areas to prevent children from DPT

(Diphtheria, Pertussis & Tetanus) and other diseases. Vitamin deficiency needs to be met by providing sufficient supplements through schools, anganwadies, and primary health centres etc. In compared to other developing countries, India has high Infant Mortality Rate (67 per cent) & Mortality Rate of less than five year babies (93 per cent) which need to be controlled. High Maternal Mortality Ratio with 540 deaths per 1,00,000 live births due to the shortage of skilled medical professionals to perform deliveries in the rural places need to be reduced with appropriate methods. Social Stigma on gender discrimination needs to be eradicated through education and community interventions. Crime against children needs to be controlled through inflicting rigorous punitive measures. The functioning of Child Help Line needs to be intensified. Juvenile delinquents shall be rehabilitated into the main stream by reforming them through professional counseling services. There is a significant relationship between child maltreatment and delinquency [24]. The neglect of the children by the working parents shall be reduced by creating awareness on the aftermaths to such parents. Social media should be explored well to detect cases of violence, abuse or discrimination against children. Legal aid shall be provided to child victims of sexual offences to derive justice. There is a need to create a separate sphere of education for the under privileged children to generate equity in the schooling system [25]. Child and Family Social Workers perform changed role to achieve child well being over mere case investigation [26]. In the light of African Charter of Human and Peoples Rights and its regional systems shall provide protection against forced migration and statelessness experiencing in Asia by labourers, migrants, refugees, asylum seekers and stateless persons protecting their human rights through dialogues involving them to find solutions [27]. Child Welfare being the prime concern of civil society should be achieved through focused interventions on every segment of child welfare.

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